

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 16, 2008, the following members were present:

Greg Jergeson, Chairman  
Doug Mood, Vice Chairman  
Brad Molnar, Commissioner  
Robert H. Raney, Commissioner  
Ken Toole, Commissioner

APPEARANCE  
Scott Fabel, Utility Division

(448) In the matter of N2008.12.137: Central Montana Communications. On December 1, 2008, Central Montana Communications, Inc. requested to modify its Tariffs.

Commissioner Mood moved to APPROVE Central Montana Communications, Inc. request in N2008.12.137. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE  
Gary Duncan, Utility Division

(449) In the matter of D2006.1.5: Qwest Corporation and 360networks, Inc. Interconnection Agreement Amendment.

Commissioner Raney moved to APPROVE the interconnection agreement amendment between Qwest Corporation and 360networks, Inc. in Docket No. D2006.1.5. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE  
Wayne Budt, Administrator  
Transportation & Centralized Services Division

(450) In the matter of TN2422: VIP Taxi, Inc., Livingston, Montana requests cancellation of PSC No. 5682 effective immediately.

Commissioner Raney moved to APPROVE the cancellation as requested. Commissioner Mood seconded the motion, which passed unanimously.

(451) In the matter of TN2423: Brawn, Inc. Helena, Montana requests permission to continue the lease of PSC No. 2278 to Vance Vanderpan d/b/a Greater Valley Taxi, Belgrade, Montana for a twelve (12) month period, January 2, 2009 to January 2, 2010.

Commissioner Raney moved to APPROVE the lease as requested. Commissioner Toole seconded the motion, which passed unanimously.

(452) In the matter of the approval of Commission Minutes for the week of December 8, 2008:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of December 8, 2008. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE  
Al Brogan, Legal Division

(453) In the matter of the Commission's discussion in D2008.12.139: Black Hills Power. In the matter of the Petition for Certification of an Eligible Renewable Resource.

Commissioner Toole moved to DIRECT staff to ISSUE a Notice of Opportunity to Comment in Docket No. D2008.12.139. Commissioner Molnar seconded the motion, which passed unanimously.

(454) In the matter of the Commission's discussion in D2005.11.163 and D2005.11.164: Utility Solutions-consider motion to vacate procedural schedule.

Commissioner Raney moved to GRANT Utility Solution's motion to vacate the procedural schedule in Dockets D2005.11.163 and 2005.11.164, and to order Utility Solutions to file amended applications for permanent rates no later than June 30, 2009. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE  
Justin Kraske, Legal Division  
Leroy Beeby, Utility Division

(455) In the matter of the Commission's discussion in D2007.8.96: Cut Bank Gas application for approval of true-up of gas cost tracking adjustment.

Commissioner Toole moved to DENY the motion of Cut Bank Gas to file the supplemental testimony of Sandra Barrows in Docket No D2007.8.96. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE  
Sarah Carlson, Public Relations

(456) In the matter of the Commission's discussion of Public Service Commission application to DNRC's Reclamation and Development Grants Programs.

Commissioner Raney moved to WITHDRAW Public Service Commission's application for a grant to DNRC's Reclamation and Development Grants Program due to loss of grant staffing. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee, Utility Division

(457) In the matter of the Commission's discussion in D2005.6.105, D2006.10.143 and D2008.1.6: Qwest Alternative Form of Regulation.

Commissioner Mood moved to APPROVE the final order subject to changes as indicated by staff and minor editing changes in Dockets D2005.6.105, D2006.10.143 & D2008.1.6. Commissioner Raney seconded the motion, which passed 4-0. Commissioner Toole was recused.

APPEARANCE

Scott Fabel, Utility Division

Jim Paine, Legal Division

(458) In the matter of the Commission's discussion in D2008.2.17: Qwest compliance with Order 5535g Other Post Employment Benefits.

Commissioner Raney moved to APPROVE the closure of Docket No. D2008.2.17. Commissioner Mood seconded the motion, which passed 4-0. Commissioner Toole was recused.

APPEARANCE

Wayne Budt, Administrator

Transportation & Centralized Services Division

Jim Paine, Legal Division

(459) In the matter of the Commission's discussion in Docket No. T 08.38.PCN: David E. Newell and Bill Abbott d/b/a Bitterroot Taxi seeks Certificate of Public Convenience and Necessity.

Commissioner Mood moved to GRANT the application for a Certificate of Public Convenience and Necessity in Docket No. T 08.38.PCN to David E. Newell and Bill Abbott d/b/a Bitterroot Taxi. Commissioner Raney seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGSON, Chairman

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DOUG MOOD, Vice Chairman

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BRAD MOLNAR, Commissioner

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ROBERT H. RANEY, Commissioner

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KEN TOOLE, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)